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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/804,355	03/19/2004	Vincent W. Lau	CS24539RA	9211
20280	7590	03/17/2010		
MOTOROLA INC 600 NORTH US HIGHWAY 45 W4 - 39Q LIBERTYVILLE, IL 60048-5343			EXAMINER DAFTUAR, SAKET K	
			ART UNIT 2451	PAPER NUMBER
			NOTIFICATION DATE 03/17/2010	DELIVERY MODE ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

DOCKETING.LIBERTYVILLE@MOTOROLA.COM  
ADB035@Motorola.com

### Office Action Summary

**Application No.**

10/804,355

**Applicant(s)**

LAU ET AL.

**Examiner**

SAKET K. DAFTUAR

**Art Unit**

2451

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 23 November 2009.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 27-31 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 27-31 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/22)
- Paper No(s)/Mail Date \_\_\_\_\_

- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

***Response to Amendment***

1. This office action is responsive to the amendment filed on November 23<sup>rd</sup>, 2009. Claims 27-31 are presented for the further examination.

***Response to Arguments***

2. Applicant's arguments, see remarks, filed on November 23<sup>rd</sup>, 2009, with respect to the rejection(s) of claim(s) 27-31 under 35 U.S.C. 102(e) have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Mehta et al. US Publication Number 2003/0028671 A1 (hereinafter Mehta) .
3. Applicant's arguments with respect to claims 27-31 have been considered but are moot in view of the new ground(s) of rejection.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 27-31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Feiertag et al. US Patent Number 6,772,203 B1 (hereinafter Feiertag) and Mehta et al. US Publication Number 2003/0028671 A1 (hereinafter Mehta).

As per claim 27, Feiertag discloses receiving a media content item and a first time-to-live (TTL) associated with the media content item from a remote device (static and dynamic web contents, column 1, lines 19-53, column 2, line 45 – column 3, line 35); and receiving an identifier and a second TTL associated with the media content item from the remote device (see figures 3 and 6, column 5, lines 23-58 column 8, lines 2-35, column 9, lines 1-35, column 12, line 8 – column 13, line 15); identifying the media content item based on the identifier (see figures 3 and 6, column 5, lines 23-58 column 8, lines 2-35, column 9, lines 1-35, column 12, line 8 – column 13, line 15); and replacing the first TTL with the second TTL. (see figures 3 and 6, column 5, lines 23-58 column 8, lines 2-35, column 9, lines 1-35, column 12, line 8 – column 13, line 15).

Feiertag discloses receiving TTL information at a remote device but failed to disclose such remote device is wireless device that receive TTL information.

Mehta teaches is wireless device that receive TTL information (See figure 5, steps 501-506, paragraph 0046-0047) where wireless device comprises memory, processor and transceiver (see paragraph 0036, 0061).

Therefore it would have been obvious to one having ordinary skilled in the art at the time the invention was made to combine the teachings of Feiertag and Mehta to receive a hit rate and a change rate for a data object stored in a wireless device and updates a time-to-live period for the data object stored in the wireless device based on the hit rate and the change rate for the data object.

As per claim 28, Feiertag discloses receiving a second TTL (column 12, line 8 – column 13, line 15) and an identifier associated with the media content item from the remote device (see figures 3 and 6, column 5, lines 23-58 column 8, lines 2-35, column 9, lines 1-35, column 12, line 8 – column 13, line 15) includes receiving the second TTL (column 12, line 8 – column 13, line 15) and at least one of the media content item, a title, a guide, a link, an author, a category, a comment, an enclosure, a publication date, and a source.

As per claim 29, Feiertag discloses receiving a second TTL (column 12, line 8 – column 13, line 15) and an identifier associated with the media content item from the remote device includes receiving the second TTL (see figures 3 and 6, column 5, lines 23-58 column 8, lines 2-35, column 9, lines 1-35, column 12, line 8 – column 13, line 15) and the identifier a periodic time period after receiving the media content item and the first TTL (see figures 3 and 6, column 1, lines 19-53, column 2, line 45 – column 3, line 35, see column 2, line 46 – column 3, line 15 and column 5, lines 23-58 column 8, lines 2-35, column 9, lines 1-35, column 12, line 8 – column 13, line 15).

As per claim 30, Feiertag discloses determining whether the first media content item is still active (column 12, line 8 – column 13, line 15).

Feiertag discloses receiving TTL information at a remote device but failed to disclose such remote device is wireless device that receive TTL information where wireless device comprises memory, processor and transceiver.

Mehta teaches is wireless device that receive TTL information (See figure 5, steps 501-506, paragraph 0046-0047) where wireless device comprises memory, processor and transceiver (see paragraph 0036, 0061).

Therefore it would have been obvious to one having ordinary skilled in the art at the time the invention was made to combine the teachings of Feiertag and Mehta to receive a hit rate and a change rate for a data object stored in a wireless device and updates a time-to-live period for the data object stored in the wireless device based on the hit rate and the change rate for the data object

As per claim 31, replacing the first TTL with the second TTL occurs in response to determining that the media content item is still active (see figures 3 and 6, column 5, lines 23-58 column 8, lines 2-35, column 9, lines 1-35, column 12, line 8 – column 13, line 15).

### **Conclusion**

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. See attached PTO 892 form.
  - a. Packet Messaging Method and Apparatus by Powers et al. US Patent Number 7,310,339 B1.
  - b. Automatic Setting of Time-To-Live Fields for Packets in an AD HOC Network by Elliot et al. US Patent Number 6,985,476 B1.
6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

#### ***Contact Information***

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Saket K. Daftuar whose telephone number is 571-272-8363. The examiner can normally be reached on 8:30am-5:00pm M-W.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Follansbee can be reached on 571-272-3964. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic

Art Unit: 2451

Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/S. K. D./

Examiner, Art Unit 2451

/John Follansbee/

Supervisory Patent Examiner, Art Unit 2451